

Attorney Docket # 5367-239PUS

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tony ALBRECHT et al.

Serial No.: 10/579,528

Filed: February 27, 2007

For: VCSEL Pumped in a Monolithically Optical
Manner and Comprising a Laterally Applied Edge
Emitter

Group Art: 2828

REQUEST FOR CORRECTION OF FILING RECEIPTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Attached is a copy of the official filing receipt received from the U.S. Patent and
Trademark Office in the above-identified application.

There is an error in:

- ☒ Applicants' address
- ☐ Title
- ☐ Filing Date
- ☐ Serial Number
- ☐ Priority Data (country, number)
- ☐ Incorrect Priority Date
- ☐ Other [pls specify]

should read as follows:

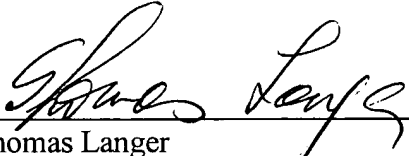
REGENSBURG, GERMANY

A copy of the filing receipt is submitted herewith on which the requested change is entered in red. Enclosed please also find the Combined Declaration for viewing upon correction.

It is respectfully requested that a corrected filing receipt be issued.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By:



Thomas Langer
Reg. No. 27,264
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: November 20, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPL NO. | FILING OR 371(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | TOT CLMS | IND CLMS |
|------------|--------------------------|----------|---------------|-----------------|----------|----------|
| 10/579,528 | 02/27/2007 | 2828 | 1030 | 5367-239PUS | 19 | 1 |

CONFIRMATION NO. 8420

27799
COHEN, PONTANI, LIEBERMAN & PAVANE
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

FILING RECEIPT



OC000000024303284

Date Mailed: 06/14/2007

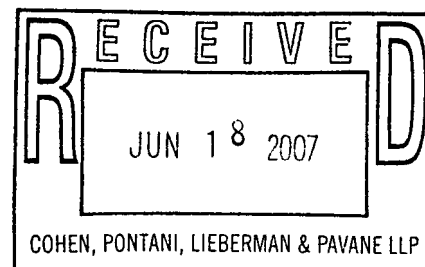
Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tony Albrecht, Bad Abbach, GERMANY;
Peter Brick, ~~Regensburg~~, GERMANY; *Regensburg*
Stephan Lutgen, Regensburg, GERMANY;

Assignment For Published Patent Application

Osram Opto Semiconductors GmbH, Regensburg, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 27799.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DE04/02477 11/09/2004

Foreign Applications

GERMANY 103 53 216.1 11/13/2003

If Required, Foreign Filing License Granted: 06/09/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/579,528**

Projected Publication Date: 09/20/2007

P07908US00

Non-Publication Request: No

Early Publication Request: No

Title

Vcsel Pumped In A Monolithically Optical Manner And Comprising A Laterally Applied Edge Emitter

Preliminary Class

372

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

Attorney's Docket No.
5367-239PUS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VCSSEL PUMPED IN A MONOLITHICALLY OPTICAL MANNER AND COMPRISING A Laterally APPLIED EDGE
EMITTER**

the specification of which (check only one item below)

☐ is attached hereto

☒ was filed as United States application

Serial No. 10/579,528

on May 15, 2006

and was amended by Preliminary Amendment filed concurrently with the application.

on _ (if applicable).

☐ was filed as PCT international application

Number PCT/DE2004/002477

on 9 November 2004

and was amended under PCT Article 19

on _ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATIONS AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

| Country (if PCT, indicate "PCT") | Application Number | Date of Filing (day, month, year) | Priority Claimed Under 35 U.S.C. 119 | |
|-------------------------------------|--------------------|--------------------------------------|---|--|
| Germany | 103 53 216.1 | 13 November 2003 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| PCT | PCT/DE2004/002477 | 9 November 2004 | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

| | | |
|---|---|--|
| COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to PCT International Applications) | | Attorney's Docket No. 5367-239PUS |
| POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at <i>Cohen, Pontani, Lieberman & Pavane</i> to prosecute this application and transact all business in the Patent and Trademark Office connected therewith Customer number 27799 | | |
| Send correspondence to: <i>Cohen Pontani Lieberman & Pavane LLP</i> at the address for the following customer Number: 27799 | | Direct Telephone calls to: (name and telephone number) Thomas Langer (212) 687-2770 |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. | | |
| 201 | Primary Citizenship Country:: | Germany |
| | Given Name:: | Tony |
| | Middle Name:: | |
| | Family Name:: | ALBRECHT |
| | City of Residence:: | Bad Abbach |
| | Country of Residence:: | Germany |
| | Street of mailing address:: | Erich-Kästner-Str. 21 |
| | City of mailing address:: | Bad Abbach |
| | Country of mailing address:: | Germany |
| | Postal or Zip Code of mailing address:: | 93077 |

| | | |
|-----|---|--------------------------------|
| 202 | Primary Citizenship Country:: | Germany |
| | Given Name:: | Peter |
| | Middle Name:: | |
| | Family Name:: | BRICK |
| | City of Residence:: | Regensburg |
| | Country of Residence:: | Germany |
| | Street of mailing address:: | Gertrud-von-le-Fort-Strasse 38 |
| | City of mailing address:: | Regensburg |
| | Country of mailing address:: | Germany |
| | Postal or Zip Code of mailing address:: | 93051 |

| | | |
|--|--|--|
| COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to PCT International Applications) | | Attorney's Docket No. 5367-239PUS |
| 203 | Primary Citizenship Country:: | Germany |
| | Given Name:: | Stephan |
| | Middle Name:: | |
| | Family Name:: | LUTGEN |
| | City of Residence:: | Regensburg |
| | Country of Residence:: | Germany |
| | Street of mailing address:: | Weissbräuhausgasse 2a |
| | City of mailing address:: | Regensburg |
| | Country of mailing address:: | Germany |
| | Postal or Zip Code of mailing address:: | 93047 |

| | | |
|--|--|--|
| SIGNATURE OF INVENTOR 201 <i>Tommy Altmeyer</i> | SIGNATURE OF INVENTOR 202 <i>René Brink</i> | SIGNATURE OF INVENTOR 203 <i>Stephan Lutgen</i> |
| DATE <i>January 17th, 2007</i> | DATE <i>January 17th, 2007</i> | DATE <i>January 17th, 2007</i> |
| SIGNATURE OF INVENTOR 204 | SIGNATURE OF INVENTOR 205 | SIGNATURE OF INVENTOR 206 |
| DATE | DATE | DATE |
| Additional inventor(s) name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |